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5 Attorneys for USACM Liquidating Trust

6 **UNITED STATES BANKRUPTCY COURT**  
7 **DISTRICT OF NEVADA**

8 In re:

9 **USA COMMERCIAL MORTGAGE  
COMPANY,**

10 **USA CAPITAL REALTY ADVISORS, LLC,**

11 **USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,**

12 **USA CAPITAL FIRST TRUST DEED FUND,  
LLC,**

13 **USA SECURITIES, LLC,**

14 Debtors.

15 **Affects:**

- 16    .. All Debtors
- 17    X USA Commercial Mortgage Company
- 18    .. USA Capital Realty Advisors, LLC
- 19    .. USA Capital Diversified Trust Deed Fund, LLC
- 20    .. USA Capital First Trust Deed Fund, LLC
- 21    .. USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**NOTICE OF OBJECTION AND  
STATUS HEARING REGARDING  
USACM LIQUIDATING TRUST'S  
MOTION TO CLASSIFY CLAIMS  
FILED BY TANAMERA CORPORATE  
CENTER LLC IN PLAN CLASS A-7,  
AND RESERVATION OF  
COUNTERCLAIMS AND OBJECTIONS**

Hearing Date: April 26, 2007

Hearing Time: 9:30 a.m.

20 **THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM THAT**  
21 **YOU FILED. THE DEADLINE TO RESPOND TO THE OBJECTION IS APRIL**  
22 **19, 2007. PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY**  
23 **COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS**  
24 **REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM**  
25 **SHOULD BE DIRECTED TO BMC GROUP AT 888-909-0100, OR**  
26 **[WWW.BMCGROUP.COM/USACMC](http://WWW.BMCGROUP.COM/USACMC), or to the undersigned counsel.**

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1                   **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust (“USACM  
2 Trust”) by and through its counsel, has filed a Motion to Classify Claims Filed by  
3 Tanamera Corporate Center LLC in Plan Class A-7, and Reservation of Counterclaims and  
4 Objection (the “Objection”). USACM Trust requests that this Court enter an order,  
5 pursuant to § 502 of title 11 of the United States Code (the “Bankruptcy Code”).  
6 Generally, USACM Trust moves this Court for an order determining that the Claims of  
7 Tanamera Corporate Center, LLC filed by Sergio del Canizo (“Tanamera”) (Claim No. 61-  
8 1, as amended by No. 61-2), and the disputed claim listed on the USACM Amended  
9 Schedules for Tanamera (jointly, the “Claim”) is included in Class A-7 as a Subordinated  
10 Claim under the confirmed Third Amended Joint Chapter 11 Plan of Reorganization  
11 (“Plan”), and reserves the right to file counterclaims against Tanamera and objections to  
12 the Tanamera Claim.

13                   **NOTICE IS FURTHER GIVEN** that the status hearing on the Objection will be  
14 held before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley  
15 Federal Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas,  
16 Nevada on **April 26, 2007, at the hour of 9:30 a.m.**

17                   **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON APRIL 26,  
18 2007, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND  
19 SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE  
20 HEARD ON THAT DATE.**

21                   **NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed  
22 by **April 19, 2007** pursuant to Local Rule 3007(b), which states:

23                   If an objection to a claim is opposed, a written response must  
24 be filed and served on the objecting party at least 5 business  
25 days before the scheduled hearing. A response is deemed  
26 sufficient if it states that written documentation in support of  
the proof of claim has already been provided to the objecting  
party and that the documentation will be provided at any  
evidentiary hearing or trial on that matter.

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If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

Please be advised that Local Rule 3007(c) provides in part: "If a written response is not timely filed and served, the court may grant the objection without calling the matter and without receiving arguments or evidence." If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* without formally calling the matter at the hearing.

Dated: March 19, 2007.

**LEWIS AND ROCA LLP**

By: /s/ Rob Charles (#6593)

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1 Proof of Service

2 Copy of the foregoing e-mailed on this 19th day of March, 2007 to all parties listed on the  
3 master service list with e-mail addresses, and mailed to the following party:

4 Sergio Del Canizo, Tanamera Corporate Center, LLC  
5 Sergio Del Canizo  
6 3136 Hyde Park Dr.  
7 Napa, CA 94558

8 s/ Christine E. Laurel

9 Christine E. Laurel  
10 Lewis and Roca LLP

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